

FILED

Clerk
District Court

NOV 05 2023

for the Northern Mariana Islands
By _____

(Deputy Clerk)

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

JOSHUA GRAY,

Plaintiff,

v.

IMPERIAL PACIFIC INTERNATIONAL
(CNMI), LLC,

Defendant.

Case No. 1:19-cv-00008

**ORDER GRANTING MOTION FOR
MODIFICATION OF ORDER
APPOINTING RECEIVER**

On October 23, 2023, this Court entered an Order, (“Receivership Order,” ECF No. 275), appointing Clear Management, Limited (“Clear Management”) as Limited Receiver to sell certain assets of Imperial Pacific International (CNMI), LLC (“IPI”) pursuant to a Writ of Execution issued by the Court on August 16, 2023, (ECF No. 247).

Paragraph B.4 of the Receivership Order of October 23, 2023, provides:

Within fourteen (14) days of the issuance of this Order, the Limited Receiver will perform a thorough inspection to locate all of IPI’s Personal Property, wherever located, to create an inventory of all specific items in IPI’s possession that it believes are subject to the Writ and that it intends to sell. The inventory list will be filed with the Court via ECF.

Receivership Order 3-4. On November 3, 2023, Clear Management moved the Court to modify this portion of the Order to permit Clear Management to file an initial inventory list by November 10, 2023, but then to later file a supplemental inventory list on December 6, 2023, and additional lists as become necessary thereafter. (Motion for Modification, ECF No. 279) The Declaration of Tim Shepherd, a

1 principal of Clear Management, demonstrates that it will not be possible for Clear Management to
2 guarantee that it has inventoried all personal property belonging to IPI by November 6, 2023 for a
3 variety of reasons, including that IPI's property is spread out over multiple locations on Saipan and
4 IPI's security staff is only able to assist Clear Management for a certain amount of time each day. (Decl.,
5 ECF No. 279-1.) Further, Clear Management noted that during its experience as limited receiver over
6 the limited receivership regarding the gaming equipment, it continued to discovery new items in
7 unexpected places even after the auction had commenced. (*Id.* ¶ 4.) Accordingly, Clear Management,
8 with the agreement of Plaintiff Joshua Gray, requested that it be permitted to file supplemental
9 inventory lists as needed. Clear Management and Plaintiff Gray agree that this is the most prudent path
10 to ensure the efficient and thorough liquidation of IPI's personal property. (Motion for Modification 2.)
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13 For good cause appearing, the Court hereby GRANTS the request to modify the Receivership
14 Order. Specifically, Clear Management shall file an initial inventory list on or before November 10,
15 2023, which will then be subject to the procedures set forth in Paragraph B.4 of the Receivership Order—
16 including that IPI shall have seven (7) days to file any objections to the inventory and will waive any
17 objections by failing to do so. Clear Management shall then file a supplemental inventory list on or
18 before December 6, 2023, which shall also be subject to the procedures set forth in Paragraph B.4 of the
19 Receivership Order, including time for objections. Clear Management shall then be permitted to file
20 additional supplemental inventory lists as it deems necessary, which will also then be subject to the
21 procedures set forth in Paragraph B.4 of the Receivership Order, including time for objections.
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24 It is SO ORDERED this 5th day of November, 2023.

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27 RAMONA V. MANGLONA
28 Chief Judge